

July 12, 2022

By email to the County Election Official

Re: Electioneering at polling locations located in religious institutions

Dear County Election Official and Election Office Staff:



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Kansas

PO Box 917
Mission, KS 66201
(913) 490-4100
aclukansas.org

Susan Estes
President

Micah W. Kubic
Executive Director

Brad Stuewe, M.D.
Treasurer

Leslie Bissell
Secretary

James Bell
Amii Castle
Robert Eye
Brandi Fisher
Liz Hueben
Mark Johnson
Lon Lewis
Raymond Rico
Joy Springfield
Annie Tietze
Marie Woodbury
Board of Directors

Thank you for all you are doing to prepare for a safe, fair, and free election on August 2. As I noted in my last communication, we look forward to working with you to run our nonpartisan election protection program this year, and are excited about our ability to partner with you to resolve any issues that arise at the polls. We write separately to you to highlight concerns that have been brought to our attention regarding signage at religious institutions that will eventually become polling locations.

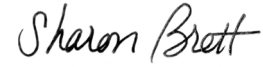
We understand that religious institutions are currently able to display signage for or against the August 2nd constitutional amendment ballot question on their property, consistent with their status as a 501(c)(3) organization. However, as soon as those institutions become polling locations, the institutions are required to comply with state law regarding electioneering, which prohibits such signage within 250 feet of the entrance to the polling location. *See* K.S.A. § 25-2430. Additionally, all signs, posters, stickers, leaflets, or other materials in favor of or against the constitutional amendment must be removed from within the facility while it is serving as a polling location. *Id.* Failure to comply with these laws is a class C misdemeanor.

We encourage your office to be proactive in speaking with management at the religious institutions, and any other institutions, that will serve as polling locations in advance of and on Primary Election Day. Please ensure that they understand the need to remove all signs and materials advocating for or against the constitutional amendment prior to that facility's use as a polling location. We know that the constitutional amendment is one that many religious institutions feel strongly about, and we likewise recognize that religious institutions are reliable, accessible locations to utilize as voting centers. Our aim in directly addressing this issue is to ensure that these facilities can be welcoming for all voters and that all state laws are followed.

Our nonpartisan election protection workers will keep an eye out for this issue as well, and encourage community members to report any issues to our election protection hotline at 866-OUR-VOTE. We commit to raising these issues with you directly if and when they arise.

Please let us know if you have any questions or would like to discuss this in advance. We appreciate all your hard work and attention to this issue.

Kind regards,



Sharon Brett
Legal Director of Kansas

ACLU

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